



March 23, 2005

ENGROSSED SENATE BILL No. 30

DIGEST OF SB 30 (Updated March 22, 2005 1:09 pm - DI 96)

Citations Affected: IC 36-9; noncode.

Synopsis: Committees, commissions, and authorities. Continues the rail corridor safety committee until November 1, 2010, and requires an additional report. Reestablishes the government efficiency commission (which expired January 1, 2005) until January 1, 2006, and directs the commission to make recommendations to the governor concerning the advisability of continuing or modifying all boards and commissions. Directs the governor to review the recommendations and submit those that will improve the efficiency and operation of state government to the legislative council for its review. Adds the following members to the Lake County regional transportation authority: (1) the mayor of Valparaiso or the mayor's designee; (2) the mayor of Portage or the mayor's designee; and (3) a member of the Porter County board of commissioners or the member's designee. Provides that the members appointed from Porter County may not vote on the distribution or payment of money by the authority unless Porter County pays a share of the authority's budget. Establishes the northwest Indiana transportation, infrastructure, and economic development interim study commission.

Effective: Upon passage; July 1, 2005.

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(HOUSE SPONSORS — BROWN T, STEVENSON, AYRES, LEHE)

January 4, 2005, read first time and referred to Committee on Commerce and Transportation.

January 27, 2005, reported favorably — Do Pass.

January 31, 2005, read second time, ordered engrossed.

February 1, 2005, engrossed.

February 3, 2005, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

March 7, 2005, read first time and referred to Committee on Roads and Transportation.

March 22, 2005, amended, reported — Do Pass.

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ES 30—LS 6056/DI 87+



March 23, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 30

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 36-9-3-5 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) An authority is under the
3 control of a board (referred to as "the board" in this chapter) that,
4 except as provided in subsections (b) and (c), consists of:

5 (1) two (2) members appointed by the executive of each county in
6 the authority;

7 (2) one (1) member appointed by the executive of the largest
8 municipality in each county in the authority;

9 (3) one (1) member appointed by the executive of each second
10 class city in a county in the authority; and

11 (4) one (1) member from any other political subdivision that has
12 public transportation responsibilities in a county in the authority.

13 (b) An authority that includes a consolidated city is under the
14 control of a board consisting of the following:

15 (1) Two (2) members appointed by the executive of the county
16 having the consolidated city.

17 (2) One (1) member appointed by the board of commissioners of

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the county having the consolidated city.

(3) One (1) member appointed by the executive of each other county in the authority.

(4) Two (2) members appointed by the governor from a list of at least five (5) names provided by the Indianapolis regional transportation council.

(5) One (1) member representing the four (4) largest municipalities in the authority located in a county other than a county containing a consolidated city. The member shall be appointed by the executives of the municipalities acting jointly.

(6) One (1) member representing the excluded cities located in a county containing a consolidated city that are members of the authority. The member shall be appointed by the executives of the excluded cities acting jointly.

(7) One (1) member of a labor organization representing employees of the authority who provide public transportation services within the geographic jurisdiction of the authority. The labor organization shall appoint the member.

(c) An authority that includes a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000) is under the control of a board consisting of the following sixteen (16) members:

(1) Three (3) members appointed by the executive of a city with a population of more than ninety thousand (90,000) but less than one hundred five thousand (105,000).

(2) Two (2) members appointed by the executive of a city with a population of more than seventy-five thousand (75,000) but less than ninety thousand (90,000).

(3) One (1) member jointly appointed by the executives of the following municipalities located within a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000):

(A) A city with a population of more than five thousand one hundred thirty-five (5,135) but less than five thousand two hundred (5,200).

(B) A city with a population of more than thirty-two thousand (32,000) but less than thirty-two thousand eight hundred (32,800).

(4) One (1) member who is jointly appointed by the fiscal body of the following municipalities located within a county with a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000):

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- 1 (A) A town with a population of more than fifteen thousand
 2 (15,000) but less than twenty thousand (20,000).
 3 (B) A town with a population of more than twenty-three
 4 thousand (23,000) but less than twenty-four thousand
 5 (24,000).
 6 (C) A town with a population of more than twenty thousand
 7 (20,000) but less than twenty-three thousand (23,000).
 8 (5) One (1) member who is jointly appointed by the fiscal body of
 9 the following municipalities located within a county with a
 10 population of more than four hundred thousand (400,000) but less
 11 than seven hundred thousand (700,000):
 12 (A) A town with a population of more than eight thousand
 13 (8,000) but less than nine thousand (9,000).
 14 (B) A town with a population of more than twenty-four
 15 thousand (24,000) but less than thirty thousand (30,000).
 16 (C) A town with a population of more than twelve thousand
 17 five hundred (12,500) but less than fifteen thousand (15,000).
 18 (6) One (1) member who is jointly appointed by the following
 19 authorities of municipalities located in a county having a
 20 population of more than four hundred thousand (400,000) but less
 21 than seven hundred thousand (700,000):
 22 (A) The executive of a city with a population of more than
 23 nineteen thousand eight hundred (19,800) but less than
 24 twenty-one thousand (21,000).
 25 (B) The fiscal body of a town with a population of more than
 26 nine thousand (9,000) but less than twelve thousand five
 27 hundred (12,500).
 28 (C) The fiscal body of a town with a population of more than
 29 five thousand (5,000) but less than eight thousand (8,000).
 30 (D) The fiscal body of a town with a population of less than
 31 one thousand five hundred (1,500).
 32 (E) The fiscal body of a town with a population of more than
 33 two thousand two hundred (2,200) but less than five thousand
 34 (5,000).
 35 (7) One (1) member appointed by the fiscal body of a town with
 36 a population of more than thirty thousand (30,000) located within
 37 a county with a population of more than four hundred thousand
 38 (400,000) but less than seven hundred thousand (700,000).
 39 (8) One (1) member who is jointly appointed by the following
 40 authorities of municipalities that are located within a county with
 41 a population of more than four hundred thousand (400,000) but
 42 less than seven hundred thousand (700,000):

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(A) The executive of a city having a population of more than twenty-five thousand (25,000) but less than twenty-seven thousand (27,000).

(B) The executive of a city having a population of more than thirteen thousand nine hundred (13,900) but less than fourteen thousand two hundred (14,200).

(C) The fiscal body of a town having a population of more than one thousand five hundred (1,500) but less than two thousand two hundred (2,200).

(9) Three (3) members appointed by the fiscal body of a county with a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000).

(10) One (1) member appointed by the county executive of a county with a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000).

(11) One (1) member of a labor organization representing employees of the authority who provide public transportation services within the geographic jurisdiction of the authority. The labor organization shall appoint the member. If more than one (1) labor organization represents the employees of the authority, each organization shall submit one (1) name to the governor, and the governor shall appoint the member from the list of names submitted by the organizations.

(12) The executive of a city with a population of more than twenty-seven thousand four hundred (27,400) but less than twenty-eight thousand (28,000), located within a county with a population of more than one hundred forty-five thousand (145,000) but less than one hundred forty-eight thousand (148,000), or the executive's designee.

(13) The executive of a city with a population of more than thirty-three thousand (33,000) but less than thirty-six thousand (36,000), located within a county with a population of more than one hundred forty-five thousand (145,000) but less than one hundred forty-eight thousand (148,000), or the executive's designee.

(14) One (1) member of the board of commissioners of a county with a population of more than one hundred forty-five thousand (145,000) but less than one hundred forty-eight thousand (148,000), appointed by the board of commissioners, or the member's designee.

SECTION 2. IC 36-9-3-9 IS AMENDED TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2005]: Sec. 9. (a) A majority of the members

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1 appointed to the board constitutes a quorum for a meeting.

2 (b) Except as provided in ~~subsection~~ **subsections (c) and (d)**, the
3 board may act officially by an affirmative vote of a majority of those
4 present at the meeting at which the action is taken.

5 (c) If the authority includes a county having a population of more
6 than four hundred thousand (400,000) but less than seven hundred
7 thousand (700,000), then:

8 (1) an affirmative vote of a majority of the board is necessary for
9 an action to be taken; and

10 (2) a vacancy in membership does not impair the right of a
11 quorum to exercise all rights and perform all duties of the board.

12 **(d) This section applies to an authority that includes a county**
13 **having a population of more than four hundred thousand (400,000)**
14 **but less than seven hundred thousand (700,000). A member**
15 **described in section 5(c)(12), 5(c)(13), or 5(c)(14) of this chapter**
16 **may not vote on the distribution or payment of money by the**
17 **authority unless a county with a population of more than one**
18 **hundred forty-five thousand (145,000) but less than one hundred**
19 **forty-eight thousand (148,000) pays to the authority the county's**
20 **share of the authority's budget under this chapter and as agreed by**
21 **the counties participating in the authority.**

22 SECTION 3. P.L.28-2000, SECTION 1, IS AMENDED TO READ
23 AS FOLLOWS [EFFECTIVE JULY 1, 2005]: SECTION 1. (a) The rail
24 corridor safety committee is established.

25 (b) The committee consists of eight (8) members as follows:

26 (1) Four (4) members of the house of representatives appointed by
27 the speaker of the house of representatives. Not more than two (2)
28 members appointed under this subdivision may represent the
29 same political party.

30 (2) Four (4) members of the senate appointed by the president pro
31 tempore of the senate. Not more than two (2) members appointed
32 under this subdivision may represent the same political party.

33 (c) The chairman of the legislative council shall designate one (1)
34 member of the committee to be chairperson of the committee.

35 (d) Each member of the committee appointed under subsection
36 (b)(1) or (b)(2) is entitled to receive the same per diem, mileage, and
37 travel allowances paid to members of the general assembly serving on
38 legislative study committees established by the legislative council.

39 (e) The committee shall do the following:

40 (1) Study the safety of rail corridors, including corridors at
41 overpasses, underpasses, and crossings.

42 (2) Review railroad safety records.

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(3) Study methods of encouraging cooperation among the railroads, local government, state government, and federal government to enhance the safety of railroads.

(4) Study other topics as assigned by the legislative council.

(f) The committee shall issue ~~a final report~~ **two (2) reports** to the legislative council regarding the matters listed under subsection (e). **A report shall be issued before each of the following dates:**

(1) November 1, 2005.

(2) November 1, 2010.

(g) The committee is under the jurisdiction of the legislative council and shall operate under policies and procedures established by the legislative council.

(h) Staff and administrative support for the committee shall be provided by the legislative services agency.

(i) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.

(j) This SECTION expires November 1, ~~2005~~ **2010**.

SECTION 4. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "commission" refers to the northwest Indiana transportation, infrastructure, and economic development coordination interim study commission established by this SECTION.

(b) The general assembly finds that:

(1) the proximity of Lake County to the third largest population center in the United States; and

(2) Lake County's location as the gateway between a highly populated northern corridor of Indiana counties and Illinois; present unique transportation, economic development, and infrastructure challenges that require the establishment of the commission.

(c) There is established the northwest Indiana transportation, infrastructure, and economic development coordination interim study commission. The commission shall do the following:

(1) Review the planning, oversight, financing, and development of transportation services in northwest Indiana and recommend changes directed at:

(A) improving the service delivery for all citizens of the region;

(B) lowering long term costs; and

(C) consolidating organizational structures whenever possible.

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(2) Review planned expansion of transportation infrastructure developments as to cost, scheduling, oversight, and authorities involved and recommend changes consistent with improving service delivery and economic development potential.

(3) Consider possible changes to economic development organizational structures and their financing across the region to facilitate economic growth and employment growth throughout northwest Indiana.

(4) Review other infrastructure development projects vital to northwest Indiana and consider how those projects may be facilitated.

(5) Research and report any potential sources for funding of a regional transportation authority.

(6) Study any other topic assigned by the legislative council.

(d) The commission consists of the following members:

(1) One (1) member appointed by the shoreline development commission established by IC 36-7-13.5-2.

(2) One (1) member appointed by an airport development authority established by an eligible entity described in IC 8-22-3.7-4.5(1).

(3) One (1) member appointed by a regional transportation authority that was established under IC 36-9-3-2 that serves Lake County.

(4) One (1) member appointed by the northwestern Indiana regional planning commission established by IC 36-7-7.6-3.

(5) One (1) member appointed by the county executive of Lake County.

(6) One (1) member appointed by the county executive of Porter County.

(7) One (1) member appointed by the county executive of LaPorte County.

(8) Four (4) senators appointed by the president pro tempore of the senate in consultation with the minority leader of the senate, not more than two (2) of whom may be members of the same political party.

(9) Four (4) representatives appointed by the speaker of the house of representatives in consultation with the minority leader of the house of representatives, not more than two (2) of whom may be members of the same political party.

(e) Except as otherwise provided in this SECTION, the commission shall operate under the policies governing study

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committees adopted by the legislative council.

(f) The affirmative votes of a majority of the members appointed to the commission are required for the commission to take action on any measure, including final reports.

(g) This SECTION expires January 1, 2006.

SECTION 5. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "board or commission" includes any:

- (1) board;
- (2) commission;
- (3) committee;
- (4) council;
- (5) panel;
- (6) task force;
- (7) authority;
- (8) foundation; or
- (9) bureau;

that was created by an executive order or by statute and that is in existence on July 1, 2005.

(b) The government efficiency commission is established.

(c) The government efficiency commission consists of the following members:

(1) One (1) cochairperson appointed not later than fifteen (15) days after the effective date of this SECTION by the president pro tempore of the senate.

(2) One (1) cochairperson appointed not later than fifteen (15) days after the effective date of this SECTION by the speaker of the house of representatives.

(3) Ten (10) members appointed by the president pro tempore of the senate not later than thirty (30) days after the appointment is made under subdivision (1), five (5) of whom must be appointed with the advice and consent of the minority leader of the senate.

(4) Ten (10) members appointed by the speaker of the house of representatives not later than thirty (30) days after the appointment is made under subdivision (2), five (5) of whom must be appointed with the advice and consent of the minority leader of the house of representatives.

(d) The following may not be members of the government efficiency commission:

- (1) An elected or appointed state or local official.
- (2) A person who on the effective date of this SECTION was appointed to or was otherwise serving on the board or as a

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member of a board or commission.

(3) A lobbyist (as defined by IC 2-7-1-10).

(e) The cochairpersons may appoint nonvoting advisory members to serve on the government efficiency commission.

(f) A member of the government efficiency commission is not entitled to a salary per diem.

(g) A member of the government efficiency commission is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in state travel rules or the state budget act.

(h) The government efficiency commission shall meet upon the call of the cochairpersons.

(i) The cochairpersons may advise the president pro tempore of the senate, the minority leader of the senate, the speaker of the house of representatives, and the minority leader of the house of representatives concerning the appointment of other members of the government efficiency commission.

(j) A quorum of the government efficiency commission must be present to conduct business. A quorum consists of a majority of the voting members appointed to the government efficiency commission.

(k) The government efficiency commission may not take an official action unless the official action has been approved by at least a majority of the voting members appointed to serve on the government efficiency commission.

(l) The cochairpersons may establish and appoint government efficiency commission members to subcommittees as the cochairpersons consider appropriate to carry out the government efficiency commission's duties under subsection (m). The cochairpersons shall name the chairperson of each subcommittee.

(m) The government efficiency commission shall do the following:

(1) Make recommendations to improve efficiency and reduce unnecessary costs associated with any board or commission or state funded agency, department, or program.

(2) Review and make recommendations to the governor concerning each board or commission about the following:

(A) Whether the board or commission should be continued, reorganized, or combined with another board, commission, or state agency.

(B) Whether the board or commission should be terminated or allowed to expire.

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- 1 (n) The government efficiency commission may accept
- 2 donations to carry out the purposes of this SECTION.
- 3 (o) The office of the governor shall provide staff support to the
- 4 government efficiency commission.
- 5 (p) The government efficiency commission shall provide its final
- 6 recommendations before October 1, 2005, to the governor.
- 7 (q) The governor shall:
- 8 (1) review the recommendations made by the government
- 9 efficiency commission under this SECTION; and
- 10 (2) before November 1, 2005, submit a report to the legislative
- 11 council recommending legislation necessary to carry out those
- 12 recommendations that the governor determines will improve
- 13 the efficiency and operations of state government.
- 14 (r) The legislative council shall:
- 15 (1) review; and
- 16 (2) determine what legislation should be prepared for
- 17 introduction in the 2006 regular session of the general
- 18 assembly with respect to;
- 19 the recommendations made under this SECTION.
- 20 (s) Nothing in this SECTION may be construed to authorize the
- 21 termination or reorganization of a board or commission except as
- 22 otherwise provided by law.
- 23 (t) This SECTION expires January 1, 2006.
- 24 SECTION 6. An emergency is declared for this act.

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COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Transportation, to which was referred Senate Bill No. 30, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 30 as introduced.)

SERVER, Chairperson

Committee Vote: Yeas 9, Nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 30, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 36-9-3-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) An authority is under the control of a board (referred to as "the board" in this chapter) that, except as provided in subsections (b) and (c), consists of:

- (1) two (2) members appointed by the executive of each county in the authority;
- (2) one (1) member appointed by the executive of the largest municipality in each county in the authority;
- (3) one (1) member appointed by the executive of each second class city in a county in the authority; and
- (4) one (1) member from any other political subdivision that has public transportation responsibilities in a county in the authority.

(b) An authority that includes a consolidated city is under the control of a board consisting of the following:

- (1) Two (2) members appointed by the executive of the county having the consolidated city.
- (2) One (1) member appointed by the board of commissioners of the county having the consolidated city.
- (3) One (1) member appointed by the executive of each other county in the authority.
- (4) Two (2) members appointed by the governor from a list of at least five (5) names provided by the Indianapolis regional transportation council.
- (5) One (1) member representing the four (4) largest municipalities in the authority located in a county other than a county containing a consolidated city. The member shall be appointed by the executives of the municipalities acting jointly.
- (6) One (1) member representing the excluded cities located in a county containing a consolidated city that are members of the authority. The member shall be appointed by the executives of the excluded cities acting jointly.
- (7) One (1) member of a labor organization representing

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employees of the authority who provide public transportation services within the geographic jurisdiction of the authority. The labor organization shall appoint the member.

(c) An authority that includes a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000) is under the control of a board consisting of the following sixteen (16) members:

(1) Three (3) members appointed by the executive of a city with a population of more than ninety thousand (90,000) but less than one hundred five thousand (105,000).

(2) Two (2) members appointed by the executive of a city with a population of more than seventy-five thousand (75,000) but less than ninety thousand (90,000).

(3) One (1) member jointly appointed by the executives of the following municipalities located within a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000):

(A) A city with a population of more than five thousand one hundred thirty-five (5,135) but less than five thousand two hundred (5,200).

(B) A city with a population of more than thirty-two thousand (32,000) but less than thirty-two thousand eight hundred (32,800).

(4) One (1) member who is jointly appointed by the fiscal body of the following municipalities located within a county with a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000):

(A) A town with a population of more than fifteen thousand (15,000) but less than twenty thousand (20,000).

(B) A town with a population of more than twenty-three thousand (23,000) but less than twenty-four thousand (24,000).

(C) A town with a population of more than twenty thousand (20,000) but less than twenty-three thousand (23,000).

(5) One (1) member who is jointly appointed by the fiscal body of the following municipalities located within a county with a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000):

(A) A town with a population of more than eight thousand (8,000) but less than nine thousand (9,000).

(B) A town with a population of more than twenty-four thousand (24,000) but less than thirty thousand (30,000).

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- (C) A town with a population of more than twelve thousand five hundred (12,500) but less than fifteen thousand (15,000).
- (6) One (1) member who is jointly appointed by the following authorities of municipalities located in a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000):
- (A) The executive of a city with a population of more than nineteen thousand eight hundred (19,800) but less than twenty-one thousand (21,000).
- (B) The fiscal body of a town with a population of more than nine thousand (9,000) but less than twelve thousand five hundred (12,500).
- (C) The fiscal body of a town with a population of more than five thousand (5,000) but less than eight thousand (8,000).
- (D) The fiscal body of a town with a population of less than one thousand five hundred (1,500).
- (E) The fiscal body of a town with a population of more than two thousand two hundred (2,200) but less than five thousand (5,000).
- (7) One (1) member appointed by the fiscal body of a town with a population of more than thirty thousand (30,000) located within a county with a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000).
- (8) One (1) member who is jointly appointed by the following authorities of municipalities that are located within a county with a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000):
- (A) The executive of a city having a population of more than twenty-five thousand (25,000) but less than twenty-seven thousand (27,000).
- (B) The executive of a city having a population of more than thirteen thousand nine hundred (13,900) but less than fourteen thousand two hundred (14,200).
- (C) The fiscal body of a town having a population of more than one thousand five hundred (1,500) but less than two thousand two hundred (2,200).
- (9) Three (3) members appointed by the fiscal body of a county with a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000).
- (10) One (1) member appointed by the county executive of a county with a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000).

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(11) One (1) member of a labor organization representing employees of the authority who provide public transportation services within the geographic jurisdiction of the authority. The labor organization shall appoint the member. If more than one (1) labor organization represents the employees of the authority, each organization shall submit one (1) name to the governor, and the governor shall appoint the member from the list of names submitted by the organizations.

(12) The executive of a city with a population of more than twenty-seven thousand four hundred (27,400) but less than twenty-eight thousand (28,000), located within a county with a population of more than one hundred forty-five thousand (145,000) but less than one hundred forty-eight thousand (148,000), or the executive's designee.

(13) The executive of a city with a population of more than thirty-three thousand (33,000) but less than thirty-six thousand (36,000), located within a county with a population of more than one hundred forty-five thousand (145,000) but less than one hundred forty-eight thousand (148,000), or the executive's designee.

(14) One (1) member of the board of commissioners of a county with a population of more than one hundred forty-five thousand (145,000) but less than one hundred forty-eight thousand (148,000), appointed by the board of commissioners, or the member's designee.

SECTION 2. IC 36-9-3-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. (a) A majority of the members appointed to the board constitutes a quorum for a meeting.

(b) Except as provided in ~~subsection~~ **subsections (c) and (d)**, the board may act officially by an affirmative vote of a majority of those present at the meeting at which the action is taken.

(c) If the authority includes a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000), then:

(1) an affirmative vote of a majority of the board is necessary for an action to be taken; and

(2) a vacancy in membership does not impair the right of a quorum to exercise all rights and perform all duties of the board.

(d) This section applies to an authority that includes a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000). A member described in section 5(c)(12), 5(c)(13), or 5(c)(14) of this chapter

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may not vote on the distribution or payment of money by the authority unless a county with a population of more than one hundred forty-five thousand (145,000) but less than one hundred forty-eight thousand (148,000) pays to the authority the county's share of the authority's budget under this chapter and as agreed by the counties participating in the authority."

Page 2, after line 21, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "commission" refers to the northwest Indiana transportation, infrastructure, and economic development coordination interim study commission established by this SECTION.

(b) The general assembly finds that:

- (1) the proximity of Lake County to the third largest population center in the United States; and
- (2) Lake County's location as the gateway between a highly populated northern corridor of Indiana counties and Illinois; present unique transportation, economic development, and infrastructure challenges that require the establishment of the commission.

(c) There is established the northwest Indiana transportation, infrastructure, and economic development coordination interim study commission. The commission shall do the following:

- (1) Review the planning, oversight, financing, and development of transportation services in northwest Indiana and recommend changes directed at:
 - (A) improving the service delivery for all citizens of the region;
 - (B) lowering long term costs; and
 - (C) consolidating organizational structures whenever possible.
- (2) Review planned expansion of transportation infrastructure developments as to cost, scheduling, oversight, and authorities involved and recommend changes consistent with improving service delivery and economic development potential.
- (3) Consider possible changes to economic development organizational structures and their financing across the region to facilitate economic growth and employment growth throughout northwest Indiana.
- (4) Review other infrastructure development projects vital to northwest Indiana and consider how those projects may be

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facilitated.

(5) Research and report any potential sources for funding of a regional transportation authority.

(6) Study any other topic assigned by the legislative council.

(d) The commission consists of the following members:

(1) One (1) member appointed by the shoreline development commission established by IC 36-7-13.5-2.

(2) One (1) member appointed by an airport development authority established by an eligible entity described in IC 8-22-3.7-4.5(1).

(3) One (1) member appointed by a regional transportation authority that was established under IC 36-9-3-2 that serves Lake County.

(4) One (1) member appointed by the northwestern Indiana regional planning commission established by IC 36-7-7.6-3.

(5) One (1) member appointed by the county executive of Lake County.

(6) One (1) member appointed by the county executive of Porter County.

(7) One (1) member appointed by the county executive of LaPorte County.

(8) Four (4) senators appointed by the president pro tempore of the senate in consultation with the minority leader of the senate, not more than two (2) of whom may be members of the same political party.

(9) Four (4) representatives appointed by the speaker of the house of representatives in consultation with the minority leader of the house of representatives, not more than two (2) of whom may be members of the same political party.

(e) Except as otherwise provided in this SECTION, the commission shall operate under the policies governing study committees adopted by the legislative council.

(f) The affirmative votes of a majority of the members appointed to the commission are required for the commission to take action on any measure, including final reports.

(g) This SECTION expires January 1, 2006.

SECTION 5. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "board or commission" includes any:

- (1) board;
- (2) commission;
- (3) committee;
- (4) council;

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- (5) panel;
- (6) task force;
- (7) authority;
- (8) foundation; or
- (9) bureau;

that was created by an executive order or by statute and that is in existence on July 1, 2005.

(b) The government efficiency commission is established.

(c) The government efficiency commission consists of the following members:

- (1) One (1) cochairperson appointed not later than fifteen (15) days after the effective date of this SECTION by the president pro tempore of the senate.
- (2) One (1) cochairperson appointed not later than fifteen (15) days after the effective date of this SECTION by the speaker of the house of representatives.
- (3) Ten (10) members appointed by the president pro tempore of the senate not later than thirty (30) days after the appointment is made under subdivision (1), five (5) of whom must be appointed with the advice and consent of the minority leader of the senate.
- (4) Ten (10) members appointed by the speaker of the house of representatives not later than thirty (30) days after the appointment is made under subdivision (2), five (5) of whom must be appointed with the advice and consent of the minority leader of the house of representatives.

(d) The following may not be members of the government efficiency commission:

- (1) An elected or appointed state or local official.
- (2) A person who on the effective date of this SECTION was appointed to or was otherwise serving on the board or as a member of a board or commission.
- (3) A lobbyist (as defined by IC 2-7-1-10).

(e) The cochairpersons may appoint nonvoting advisory members to serve on the government efficiency commission.

(f) A member of the government efficiency commission is not entitled to a salary per diem.

(g) A member of the government efficiency commission is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in state travel rules or the state budget act.

(h) The government efficiency commission shall meet upon the

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call of the cochairpersons.

(i) The cochairpersons may advise the president pro tempore of the senate, the minority leader of the senate, the speaker of the house of representatives, and the minority leader of the house of representatives concerning the appointment of other members of the government efficiency commission.

(j) A quorum of the government efficiency commission must be present to conduct business. A quorum consists of a majority of the voting members appointed to the government efficiency commission.

(k) The government efficiency commission may not take an official action unless the official action has been approved by at least a majority of the voting members appointed to serve on the government efficiency commission.

(l) The cochairpersons may establish and appoint government efficiency commission members to subcommittees as the cochairpersons consider appropriate to carry out the government efficiency commission's duties under subsection (m). The cochairpersons shall name the chairperson of each subcommittee.

(m) The government efficiency commission shall do the following:

(1) Make recommendations to improve efficiency and reduce unnecessary costs associated with any board or commission or state funded agency, department, or program.

(2) Review and make recommendations to the governor concerning each board or commission about the following:

(A) Whether the board or commission should be continued, reorganized, or combined with another board, commission, or state agency.

(B) Whether the board or commission should be terminated or allowed to expire.

(n) The government efficiency commission may accept donations to carry out the purposes of this SECTION.

(o) The office of the governor shall provide staff support to the government efficiency commission.

(p) The government efficiency commission shall provide its final recommendations before October 1, 2005, to the governor.

(q) The governor shall:

(1) review the recommendations made by the government efficiency commission under this SECTION; and

(2) before November 1, 2005, submit a report to the legislative council recommending legislation necessary to carry out those

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recommendations that the governor determines will improve the efficiency and operations of state government.

(r) The legislative council shall:

(1) review; and

(2) determine what legislation should be prepared for introduction in the 2006 regular session of the general assembly with respect to;

the recommendations made under this SECTION.

(s) Nothing in this SECTION may be construed to authorize the termination or reorganization of a board or commission except as otherwise provided by law.

(t) This SECTION expires January 1, 2006.

SECTION 6. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 30 as printed January 28, 2005.)

DUNCAN, Chair

Committee Vote: yeas 10, nays 0.

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